

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

Crl. Misc. No. 60470-M of 2006

DATE OF DECISION : 10.10.2006

Sunder

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Harbhagwan Singh, Senior Advocate, with
Mr. Vikrant Duggal, Advocate,
for the petitioner.

Mr. Partap Singh, Senior D.A.G., Haryana.

* * *

Petitioner Sunder, apprehending his arrest in a non-bailable offence in case FIR No. 255 dated 22.7.2006, under Section 420 IPC, registered at Police Station Shahabad, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR as well as the order dated 20.9.2006, passed by Sessions Judge, Kurukshetra, whereby bail application of the petitioner has been dismissed.

During the investigation, the police has collected the register maintained by the petitioner, in which registration number of thousands of vehicles have been mentioned, to whom Pollution Check Certificates have been issued. They have also collected a book of printed form of the certificate which are being issued by the petitioner. Undisputedly, the petitioner is not authorised to issue the Pollution Check Certificate by the Transport of Commissioner, Haryana. The contention of counsel for the petitioner that the allegations in the FIR do not constitute prima facie offence under Section 420 IPC does not convince me.

In view of the aforesaid facts and the nature of allegations, I am not inclined to grant the discretionary relief of anticipatory bail to the petitioner.

Dismissed.

October 10, 2006
ndj

(SATISH KUMAR MITTAL)
JUDGE